

Prob 12 (10/09)  
VAE (rev. 5/17)

**UNITED STATES DISTRICT COURT**  
**for the**  
**EASTERN DISTRICT OF VIRGINIA**

U.S.A. vs. Jose F. Paz

Docket No. 1:16-PO-2799

**Petition on Probation**

COMES NOW Kenneth G. Orsino, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Jose F. Paz, who was placed on supervision by the Honorable John F. Anderson, United States Magistrate Judge sitting in the Court at Alexandria, Virginia, on the 1st day of December, 2016, who fixed the period of supervision at eighteen (18) months, and imposed the general terms and conditions heretofore adopted by the Court and also imposed special conditions and terms as follows:

See Page 2

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

See Attachment(s)

**PRAYING THAT THE COURT WILL ORDER** a summons to be issued directing that the offender appear before the Court to show cause why supervision should not be revoked.

Returnable Date: MARCH 20, 2018  
10:00am

**ORDER OF COURT**

Considered and ordered this 13<sup>th</sup> day  
of FEBRUARY, 2018  
and ordered filed and made a part of the records in the  
above case. /s/ JFA

John F. Anderson  
United States Magistrate Judge

John F. Anderson  
United States Magistrate Judge

I declare under penalty of perjury that the foregoing  
is true and correct.

Executed on \_\_\_\_\_

Kenneth G. Orsino Kenneth G. Orsino  
2018.02.13 14:55:49 -05'00'

Kenneth G. Orsino  
U.S. Probation Officer  
(703) 366-2109

Place Manassas, Virginia

**TO CLERK'S OFFICE**

**Petition on Probation**

**Page 2**

**RE: Paz, Jose F.**

**OFFENSE:** Driving Under the Influence, in violation of 32 CFR 234.17(c)(1)(i)

**SENTENCE:** Eighteen (18) months supervised probation with the following special conditions: 1) the defendant shall participate in and successfully complete an Alcohol Safety Action Program or other alcohol treatment program as deemed appropriate by the probation office; 2) the defendant may not operate a motor vehicle anywhere in the United States without a valid license. If the defendant obtains a valid license, the defendant may not operate a motor vehicle anywhere in the United States during the period of probation except (a) to and from work, as incident to or required by work, (b) to and from court, the probation office, and the alcohol treatment program, and (c) to and from NA/AA meetings as approved by the probation officer, and (d) to and from place of confinement; 3) the defendant shall serve a period of five (5) days incarceration with the Bureau of Prisons, which may be served on weekends or other intermittent times as deemed appropriate by the probation office; 4) the defendant may not operate a motor vehicle unless it is equipped with an alcohol-detecting ignition interlock system approved by the probation officer; and 5) the defendant shall pay a \$200.00 fine, \$30.00 processing fee, and a \$10.00 special assessment as to 6495884 to be paid by March 1, 2017.

**PROBATION VIOLATION:** In June 2017, a letter was sent to Your Honor recommending no action be taken after the defendant submitted a urine screen on May 18, 2017, that tested positive for heroin, and he failed to pay his fine, processing fee, and special assessment by March 1, 2017. Your Honor agreed with this recommendation on June 7, 2017.

**PROBATION VIOLATION:** On July 11, 2017, the defendant appeared in court for a probation violation hearing after he submitted a urine specimen that again tested positive for opiates. The defendant admitted to using oxycodone on June 14, 2017, and on June 18, 2017. However, the urine screen was confirmed positive for morphine, by Alere Toxicology in Richmond, Virginia, indicative of heroin use. The defendant was found in violation, sentenced to three (3) days in jail, and continued on supervision.

**PROBATION VIOLATION:** In September 2017, a letter was sent to Your Honor recommending no action be taken after the defendant submitted a urine screen on August 23, 2017, that tested positive for opiates, and he admitted to using heroin on September 7, 2017. On September 21, 2017, Your Honor agreed with this recommendation, and modified his special conditions of supervision to include substance abuse testing and treatment at the direction of the probation officer.

**ADJUSTMENT TO SUPERVISION:** The defendant's supervision was transferred to the District of Maryland on August 10, 2017, and he is currently being supervised by U.S. Probation Officer Quentin Lowe. According to Officer Lowe, the defendant resides with his girlfriend in Rockville, Maryland, and is currently unemployed. In October 2017, the defendant was referred to Avery Road Treatment Services in Rockville, Maryland, for inpatient substance abuse treatment. The defendant successfully completed that program on November 27, 2017. The defendant is currently enrolled in weekly cognitive behavior therapy groups and individual counseling sessions at Family Health Center in Gaithersburg, Maryland. Mr. Paz has been compliant with his substance abuse program and all recent urine screens have been negative. The defendant has served the period of incarceration originally imposed at sentencing and at the probation violation hearing. He has also paid his monetary penalties in full.

**Petition on Probation**

**Page 3**

**RE: Paz, Jose F.**

**VIOLATIONS:** The following violations are submitted for the Court's consideration.

**MANDATORY CONDITION:**      **COMMISSION OF A CRIME(S) – RECKLESS DRIVING - SPEEDING 20 MILES PER HOUR OR ABOVE POSTED LIMIT, DRIVING ON A SUSPENDED/REVOKED LICENSE, AND DISREGARD LAW ENFORCEMENT COMMAND.**

**SPECIAL CONDITION #2:**      **“THE DEFENDANT MAY NOT OPERATE A MOTOR VEHICLE ANYWHERE IN THE UNITED STATES WITHOUT A VALID LICESNE. IF THE DEFENDANT OBTAINS A VALID LICESNE, THE DEFENDANT MAY NOT OPERATE A MOTOR VEHICLE ANYWHERE IN THE UNITED STATES DURING THE PERIOD OF PROBATION EXCEPT (A) TO AND FROM WORK, AS INCIDENT TO OR REQUIRED BY WORK, (B) TO AND FROM COURT, THE PROBATION OFFICE, AND THE ALCOHOL TREATMENT PROGRAM, (C) TO AND FROM NA/AA MEETINGS AS APPROVED BY THE PROBATION OFFICER, AND (D) TO AND FROM PLACE OF CONFINEMENT.”**

**SPECIAL CONDITION #4:**      **“THE DEFENDANT MAY NOT OPERATE ANY MOTOR VEHICLE UNLESS IT IS EQUIPPED WITH AN ALCOHOL-DETECTING IGNITION INTERLOCK SYSTEM APPROVED BY THE PROBATION OFFICER.”**

On January 21, 2018, warrants were issued for the defendant in Fairfax County, Virginia, charging him with Reckless Driving- Speeding 20 miles Per Hour or Above Posted Limit, Driving on a Suspended/Revoked License, and Disregard Law Enforcement Command. According to law enforcement officials, the defendant fled from police in Virginia into Maryland. The defendant surrendered to these warrants on January 25, 2018, and was released to the community pending his appearance before the Fairfax County General District Court on March 16, 2018.

KGO/lmg